

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**NEIL PAUL NOBLE,**  
#24009702  
Petitioner,  
  
v.  
  
**DIRECTOR, TDCJ-CID,**  
  
Respondent.

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Civil Action No. **3:24-CV-1376-L-BK**

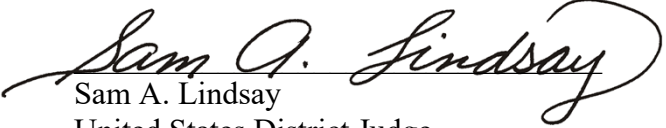
**AMENDED ORDER**

On September 12, 2024, the court entered an order accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (Doc. 35). In the order, the court **denied** *pro se* Petitioner Neil P. Noble’s (“Petitioner”) writ of habeas corpus under 28 U.S.C. § 2254 and **dismissed without prejudice** this action. Doc. 35 at 2. Further, in the order the court prospectively certified that any appeal of this action would not be taken in good faith, however, the court intended to, but did not deny a certificate of appealability. The court **vacates** the earlier order (Doc. 35) and **issues** this order to make that correction.

Accordingly, considering the record in this case and pursuant to Federal Rule of Appellate Procedure 22(b), Rule 11(a) of the Rules Governing Sections 2254 and 2255 Proceedings in the United States District Court, and 28 U.S.C. § 2253(c), the court **denies** a certificate of appealability. The court **accepts** and **incorporates** by reference the Magistrate Judge’s Findings, Conclusions and Recommendation filed in this case in support of its finding that the petitioner has failed to show (1) that reasonable jurists would find this court’s “assessment of the constitutional claims debatable or wrong,” or (2) that reasonable jurists would find “it debatable whether the petition states a valid claim of the denial of a constitutional right”

and “debatable whether [this court] was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).\*

**It is so ordered** this 4th day of March, 2025.

  
Sam A. Lindsay  
United States District Judge

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\* Rule 11 of the Rules Governing §§ 2254 and 2255 Proceedings reads as follows:

**(a) Certificate of Appealability.** The district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant. Before entering the final order, the court may direct the parties to submit arguments on whether a certificate should issue. If the court issues a certificate, the court must state the specific issue or issues that satisfy the showing required by 28 U.S.C. § 2253(c)(2). If the court denies a certificate, the parties may not appeal the denial but may seek a certificate from the court of appeals under Federal Rule of Appellate Procedure 22. A motion to reconsider a denial does not extend the time to appeal.

**(b) Time to Appeal.** Federal Rule of Appellate Procedure 4(a) governs the time to appeal an order entered under these rules. A timely notice of appeal must be filed even if the district court issues a certificate of appealability.